

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CONNECTU LLC,

Plaintiff,

v.

C.A. No. 04-1923(DPW)

MARK ZUCKERBERG, EDUARDO SAVERIN,
DUSTIN MOSKOVITZ, ANDREW MCCOLLUM,
CHRISTOPHER HUGHES and THE FACEBOOK,
INC.,

Defendants.

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VIDEOTAPED DEPOSITION OF CONNECTU LLC

BY CAMERON H. WINKLEVOSS

Boston, Massachusetts

Tuesday, August 9, 2005

9:44 a.m. to 6:27 p.m.

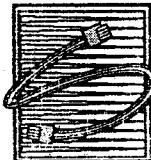
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03:43:04 1 aspect and prior to the coding of the
03:43:09 2 website from a conceptual aspect or at least
03:43:14 3 prior to coding he was involved with the
03:43:15 4 development of the project, and I know
03:43:22 5 that -- I cannot say if he was involved with
03:43:24 6 the code. I don't think he is a programmer.
03:43:26 7 I can't say that he didn't see the code or
03:43:28 8 didn't see our ideas.

03:43:32 9 Q. Okay. So is it correct, sir, that you don't
03:43:34 10 know whether or not Mr. Saverin had any
03:43:36 11 involvement at all with the coding of
03:43:39 12 Thefacebook, correct?

03:43:40 13 MR. HORNICK: Objection,
03:43:40 14 mischaracterizes his testimony. You can
03:43:42 15 answer.

03:43:43 16 A. I do not know if he had any involvement with
03:43:45 17 the coding of Thefacebook.

03:43:46 18 Q. All right. And you say, though, that he was
03:43:48 19 involved in the business aspect of
03:43:50 20 Thefacebook; is that right?

03:43:51 21 A. (No verbal response.)

03:43:53 22 Q. Yes.

03:43:53 23 A. Yes.

03:43:54 24 Q. All right. What's your basis for that
03:43:55 25 statement?

03:50:14 1 Q. Did Mr. Zuckerberg in January of 2004 ever
03:50:17 2 discuss or ever communicate -- otherwise
03:50:19 3 communicate with Mr. Saverin about
03:50:22 4 HarvardConnection?
03:50:22 5 A. I don't know.
03:50:29 6 Q. Did Mr. Saverin write any code for
03:50:31 7 Thefacebook?
03:50:32 8 A. I can't answer that.
03:50:33 9 Q. You can't answer that because you don't
03:50:34 10 know?
03:50:34 11 A. Primarily, yeah, because I don't know, yes.
03:50:43 12 Q. Has Mr. Saverin ever seen any source code
03:50:46 13 for the TheFacebook?
03:50:47 14 MR. HORNICK: Objection. This
03:50:49 15 still isn't 30(b) (6) testimony.
03:50:50 16 A. Again, I don't know that.
03:50:59 17 Q. Was Mr. Saverin ever made aware of any of
03:51:01 18 the HarvardConnection trade secrets that you
03:51:03 19 contend Mr. Zuckerberg misappropriated?
03:51:05 20 MR. HORNICK: By whom?
03:51:08 21 MR. HAWK: By anybody.
03:51:09 22 MR. HORNICK: Well, by --
03:51:10 23 Q. Let me --
03:51:12 24 MR. HORNICK: By HarvardConnection
03:51:12 25 or by Mr. Zuckerberg or by somebody else?

04:59:39 1 Q. Okay. So you do believe Paragraph 21 is --

04:59:42 2 A. Yes.

04:59:42 3 Q. -- accurate? Okay. Fair enough.

04:59:45 4 Well, then let's talk about the

04:59:49 5 particulars of Paragraph 21. 21 says,

04:59:52 6 quote, "Defendant Zuckerberg shared

04:59:56 7 Plaintiff's confidential business

04:59:57 8 information and the HarvardConnection code

04:59:58 9 with Defendants Saverin" -- and let's just

05:00:01 10 stop with Mr. Saverin.

05:00:05 11 What specific information did Mr.

05:00:07 12 Zuckerberg share with Mr. Saverin?

05:00:08 13 A. I don't know specific information.

05:00:10 14 Q. And so you don't know when this supposed

05:00:16 15 sharing of confidential business information

05:00:19 16 or the HarvardConnection code with Defendant

05:00:22 17 Saverin occurred, correct?

05:00:23 18 A. I can give you a time frame.

05:00:25 19 Q. Okay. Well, give me a time frame.

05:00:26 20 A. I would say anywhere between November 2003

05:00:29 21 and February -- you know, February 4th when

05:00:33 22 Thefacebook launched, any time between that

05:00:36 23 point -- but, yeah, that's a time frame I

05:00:40 24 can give you.

05:00:40 25 Q. And what's your basis for saying that from

05:23:27 1 And as I said for the other defendants,
05:23:30 2 based on their involvement in the creation
05:23:31 3 and the fact that I believe that the
05:23:33 4 creation is derivative work, that I believe
05:23:39 5 he's used copyrighted code.

05:23:41 6 Q. I think I'll go with your counsel's
05:23:44 7 stipulation that you can't answer the
05:23:45 8 question so we'll move on.

05:23:47 9 MR. HORNICK: The witness gave you
05:23:48 10 the best answer to the best of his ability.

05:24:03 11 Q. Now, Mr. Saverin was never a partner of the
05:24:05 12 HarvardConnection, correct?

05:24:06 13 A. No, he would not have been involved. No.

05:24:10 14 Q. Right. And neither you nor anyone else at
05:24:14 15 HarvardConnection ever made the
05:24:16 16 HarvardConnection source code available to
05:24:17 17 Mr. Saverin, correct?

05:24:22 18 A. We directly did not make it available --

05:24:22 19 Q. Right.

05:24:26 20 A. -- to him, yeah.

05:24:26 21 Q. And no one, to your knowledge, at ConnectU
05:24:27 22 ever disclosed any HarvardConnection trade
05:24:29 23 secrets to Mr. Saverin, correct?

05:24:31 24 A. No, not directly to Mr. Saverin.

05:24:48 25 Q. All right. And just to clean up a few

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12 I further certify that I am neither
13 related to or employed by any of the parties
14 in or counsel to this action, nor am I
15 financially interested in the outcome of
16 this action.

17 In witness whereof, I have hereunto set
18 my hand and seal this 11th day of August,
19 2005.

20

James S. Williamson

22

23

24

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Jessica L. Williamson, RMR, RPR, CRR

Notary Public, CSR No. 138795

My commission expires: 12/18/2009